

LAW OFFICE OF RESHMA KAMATH

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COUNSEL FOR DEFENDANTS

**RUIFENG BIZTECH INC.; GANGYOU WANG;
ALAN LI; AND, RF BIOTECH LLC**

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

QUINTARA BIOSCIENCES, INC.,
a California corporation,

Plaintiff,
v.

RUIFENG BIZTECH INC., a
California corporation, GANGYOU
WANG, an individual, ALEX
WONG, an individual, ALAN LI,
an individual, RUI SHAO, an
individual, and RF BIOTECH LLC,
a California limited liability
company,

Defendants.

Case No. 3:20-cv-04808-WHA

*[Assigned to Magistrate Judge Alex G. Tse;
Magistrate Judge Thomas S. Hixson; and
presiding Judge William Alsup]*

***OBJECTION TO THE COURT'S
PREJUDICIAL 'ORDER AWARDING
SANCTIONS' DATED JUNE 05, 2023***

***TO THE HONORABLE COURT, ALL PARTIES, AND ATTORNEYS OF
RECORD, HEREIN:***

Case No. 3:20-cv-04808-WHA

NOTICE

1 ***PLEASE TAKE NOTICE*** that Defense Counsel RESHMA KAMATH will **NOT**
2 be paying the sanctions in the prejudicial ‘ORDER AWARDING SANCTIONS’ dated
3 June 5, 2023 precisely for the following reasons:
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5 1. No such notice was presented to the Defense Counsel re this sanctions Order
6 based on any opportunity to be heard. A due process violation under the Fifth
7 Amendment United States Constitution by Judge Hixson and a further biased order
8 under Cal. *Cod. Civ. Proc.* Sections 170.1, 170.3 and 170.6 *et seq.* and the Judicial
9 Canon of Ethics;
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11 2. No Opposition opportunity was presented by the Court;
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13 3. The Court has misstated the facts in its alleged ‘ORDER’, i.e., “Defense
14 counsel’s response to the OSC was due May 4, 2023. Plaintiff’s counsel filed a
15 responsive declaration on May 1, itemizing \$5,096.61 is attorneys’ fees and costs to
16 attend the April 26 in-person settlement conference. ECF No. 298. Defense counsel filed
17 a response to the OSC (“Response”) on May 4. ECF No. 302.”
18

19 The Defense Counsel’s timely-submitted response to the OSC dated May 04,
20 2023 was the possibility of Judge Hixson’s \$100 sanction award.
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22 There was no opportunity by the Judge Hixson, and/or Judge Alsup to write any
23 Opposition to Plaintiff’s Counsel, James Li’s Responsive Declaration, misstated by
24 Judge Hixson – when in actuality, “Affidavit” was filed by Plaintiff’s Counsel, James
25 Li;
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1 4. The Court is awarding sanctions based on the Court's own mistakes, and that
2 of its staff. The Court's clerical errors and bias is not the basis for frivolous sanctions
3 promulgating, sympathizing, and garnering excuses for the boys' club;
4

5 5. Sanctions must be awarded to Defendants Ruifeng *et al* as well for the **last-**
6 **minute cancellation of May 05, 2023 SETTLEMENT CONFERENCE, i.e., on May**
7 **04, 2023 one-day prior to**, when Plaintiffs' Counsel James Li wrote a declaration with
8 no evidence attached that COVID-19 was inflicted on him. Yet, this is a common excuse
9 in the Courts for the past three years. During the scheduling conference, Plaintiffs'
10 Counsel James Li was available within a day or two of allegedly getting COVID-19
11 (Judge Hixson did not record this hearing smartly); again, with no evidence provided
12 prior from James Li. Anything produced going forward should not be considered. This
13 is only gamesmanship and bad-faith on the part of Plaintiffs' Counsel, James Li, that
14 Judge Hixson seems to have sympathy for in forgetting his duties as a judicial officer in
15 California courts.
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20 There were four other attorneys, atleast, from Plaintiff's Counsel, James Li's
21 attorney(s) of record. Any of them could have attended. Yet, Judge Hixson, in his
22 prejudicial misogyny, and boys' club attitude, re-scheduled literally at around 5 p.m.
23 PDT on May 4, 2023, the entire SETTLEMENT CONFERENCE on May 5, 2023. This
24 is only prejudice and bias.
25

26 6. Sanctions must be awarded to Defendants Ruifeng *et al* as well for Plaintiff's
27 Counsel James Li's last-minute cancellation of May 5, 2023 SETTLEMENT
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1 CONFERENCE, i.e., on May 04, 2023 one-day prior to, when Defense Counsel had
2 driven all the way from Arizona; had lodging close to the SF Court; and, had to
3 stay in downtown Bay Area until the re-scheduled SETTLEMENT
4 CONFERENCE date was met. Defense also incurred costs over \$6,000 for this
5 purpose.
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8 7. Finally, Defendants noticed that Judge Hixson's attitude towards Plaintiff's
9 Counsel, James Li, was incredibly biased and prejudicial. (Cal. *Cod. Civ. Proc.* sections
10 170.1; 170.3 and 170.6 *et seq.*). Thus, the Court's awarding sanctions again shows
11 prejudice, and misogyny. Defense counsel will NOT pay such prejudicial sanctions.
12 Judge Hixson could have ordered any of the Plaintiff's Counsel, James Li's other
13 attorneys of record to appear on May 05, 2023 – yet. Judge Hixson did not. This is
14 particularly targeted towards Counsel Reshma Kamath that the judicial officers, such as
15 Judge Hixson, with bias and prejudice are attacking minority women in the profession
16 who do not have white, and/or male lawyers as part of the law firms. The Salem Witch
17 Hunt towards minority women in the legal profession, and to those of Indian-descent is
18 quite visible in Judge Hixson's Order.
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23 **LAW OFFICE OF RESHMA KAMATH**

24 **DATED: June 5, 2023**

25 */s/ Reshma Kamath*

26 Reshma Kamath,
27 Counsel for Defendants and Counter
28 Complainants,
RUIFENG BIZTECH INC.; GANGYOU
WANG; ALAN LI; and, RF BIOTECH LLC